

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

Request of AC NIGHTLIFE, LLC d/b/a DUSK
To Expand Its Casino Hotel Alcoholic Beverage
License
(DUSK Expansion On Boardwalk)

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ORDER
PRN 1651202

By its request (PRN 1651202) to the Division of Gaming Enforcement (“Division”) AC NIGHTLIFE, LLC d/b/a DUSK (“DUSK”) seeks authorization for a Type II (hotel) authorized outlet which fronts the Atlantic City Boardwalk, to serve alcoholic beverages on the first ribbon of the Atlantic City Boardwalk in front of its licensed premises, an expanse of approximately 12 feet onto the Boardwalk as measured in the architectural survey submitted to the City of Atlantic City (“City”) and approved by the City on February 9, 2011. DUSK has been granted a “Revocable License Agreement Extension” for 2012 by the City of Atlantic City, on June 7, 2012 which permits the extension of the licensed premises onto the Boardwalk (“Boardwalk premises”) until June 24, 2013. Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, I hereby order that the request be granted with the following conditions:

1. Hours of operation of the Boardwalk premises will be the same hours of operation of DUSK, currently from 11:00 a.m. until 4:00 a.m.
2. DUSK’s Boardwalk premises will be that area specifically delineated in the architectural diagram submitted to the City and which was relied upon by the City for its approval on February 9, 2011. That diagram was provided to the Division as part of DUSK’s request.
3. Alcoholic beverages are to be provided to patrons within the Boardwalk premises of DUSK by the glass or other open receptacle for consumption on the premises

of DUSK only.

4. DUSK will maintain procedures to insure that sales of alcoholic beverages to patrons of its Boardwalk premises will be only to those individuals who are 21 years of age or older and that such beverages are not sold to individuals who are actually or apparently intoxicated.
5. DUSK will maintain adequate security during operation of its Boardwalk premises to insure the safety of patrons and employees and to prevent the removal of the alcohol by unauthorized individuals.
6. While conducting the sale of alcoholic beverages within its Boardwalk premises, DUSK will comply with all requirements attendant to Type II CHAB authorization, pursuant to *N.J.S.A. 5:12-103g(2)*, and with all applicable alcoholic beverage laws and regulations of the Division and, as deemed applicable, the Division of Alcoholic Beverage Control.
7. DUSK is to obtain all necessary approvals from other governmental agencies prior to commencing operation of its Boardwalk premises.
8. The relief granted herein will be continuing, without expiration, provided that DUSK complies, in all respects, to the conditions contained herein and in full and complete conformance with the representations made for the approval herein to the City of Atlantic City and the Division, which representations include the location and dimensions of the Boardwalk premises, and that the Division receive, prior to use of the Boardwalk premises for the next term, a notification of such intention to use the expanded Boardwalk area and a copy of the License Agreement, effective for that term, from the City.
9. DUSK will submit a diagram depicting the location of the tables and chairs to be used within the Boardwalk premises in addition to the location of any other furniture, fixtures and equipment.
10. The Division may amend, suspend or revoke the approval granted by this Order in the event that DUSK fails to comply with any of the conditions set forth herein.

Dated: _____

June 21, 2012


DAVID L. REBUCK
DIRECTOR
